

## REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments. Claims 1-26 and 34-54 remain pending in the case. Claims 1-26 and 34-54 are rejected.

### 35 U.S.C. §102(e)

Claims 1-26, 34-37 and 44-54 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Number 5,960,394 by Gould et al., hereinafter referred to as the "Gould" reference. Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 1-26, 34-37 and 44-54 are not anticipated by Gould in view of the following rationale.

### Claims 1-26

Applicants respectfully direct the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

In a computer system that provides an audio user interface, a method of interfacing with a user comprising the steps of:

a) prompting a user with a first message indicating that the user may say a keyword to invoke an application and indicating that the user may stay tuned for a listing of keywords;

b) waiting for a predetermined period for said user to say a keyword;

c) provided said user does say a keyword during said predetermined period, automatically recognizing said keyword and executing an application indicated by said keyword; and

d) provided said user does not say a keyword during said predetermined period, rendering a listing of keywords to said user and

executing an application associated with a keyword spoken by said user in response to said listing.

Independent Claim 14 recites similar limitations. Claims 2-13 that depend from independent Claim 1 and Claims 15-26 that depend from independent Claim 14 provide further recitations of the features of the present invention.

Gould and the claimed invention are very different. Applicants understand Gould to teach a word recognition system with dynamic assignment of probabilities based on the state of controlled applications (Abstract). In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system.

With reference to Figure 32 of Gould, a screen shot displaying two user selections is shown. In particular, the screen shot is visibly displayed and is not audibly prompted. Moreover, the screen shot presents a user with two options, saying "okay" or saying "tutor menu." In order to proceed, the user must say one of the two options. Gould then waits for the user to say one of the options. Specifically, Gould does not take any action until a user says something (col. 26, lines 29-65).

In contrast, embodiments of the claimed invention are directed towards method of interfacing with a user including "prompting a user with a first message indicating that the user may say a keyword to invoke an application and indicating that the user

may stay tuned for a listing of keywords" (emphasis added). In particular, the user is directed to stay tuned, e.g., not say a keyword, for a listing of keywords. Moreover, the claimed method also includes "waiting for a predetermined period for said user to say a keyword" and taking action based on whether or not a user says a keyword "during said predetermined period" (emphasis added).

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest "prompting a user with a first message indicating that the user may say a keyword to invoke an application and indicating that the user may stay tuned for a listing of keywords" (emphasis added). In contrast, Gould teaches that a user must say something for any action to take place. Moreover, Applicants respectfully assert that Gould does not teach, describe or suggest taking action based on whether or not a user says a keyword "during said predetermined period" (emphasis added). In contrast, Gould teaches that no action is taken until a user says something. In particular, Gould is silent as to the measurement of time, and automatically taking action upon the lapsing of a predetermined period of time.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 1 and 14, that these claims overcome the rejection under 35 U.S.C. § 102(e), and that these claims are thus in a condition for allowance.

Therefore, Applicants respectfully submit the Gould also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-13 that

depend from independent Claim 1 and Claims 15-26 that depend on independent Claim 14. Therefore, Applicants respectfully submit that Claims 2-13 and 15-26 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

#### Claims 34-37

Applicants respectfully direct the Examiner to independent Claim 34 that recites that an embodiment of the present invention is directed to (emphasis added):

In a computer system that provides an audio user interface, a method of providing information to a user comprising the steps of:

a) entering a general mode of operation within said audio user interface wherein a user can interrupt said computer system by uttering keywords at any time;

b) in response to said user saying a keyword that invokes a content delivery option, rendering a message informing said user that content delivery can be interrupted by uttering a special word;

c) playing an audio content to said user;

d) during step c), entering a special mode of operation wherein said audio content is interrupted only if said user says said special word and otherwise ignoring user utterances during said playing of said audio content; and

e) resuming said general mode of operation upon completion of said audio content.

Claims 35-37 that depend from independent Claim 34 provide further recitations of the features of the present invention.

Gould and the claimed invention are very different. As described above, Applicants understand Gould to teach a word recognition system with dynamic

assignment of probabilities based on the state of controlled applications (Abstract). In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system.

The Examiner asserts that Figure 32 and col. 26, lines 1-42 and 50-65 as teaching the limitations of Claim 34. As described above, Figure 32 of Gould shows a screen shot displaying two user selections. In order to proceed, the user must say one of the two options. Gould then waits for the user to say one of the options. Specifically, Gould does not take any action until a user says something (col. 26, lines 29-65).

In contrast, embodiments of the claimed invention are directed towards method of providing information to a user including “entering a general mode of operation within said audio user interface wherein a user can interrupt said computer system by uttering keywords at any time” (emphasis added). Moreover, the claimed method also includes “rendering a message informing said user that content delivery can be interrupted by uttering a special word;” and “entering a special mode of operation wherein said audio content is interrupted only if said user says said special word and otherwise ignoring user utterances during said playing of said audio content.”

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest “entering a general mode of operation within said audio user interface wherein a user can interrupt said computer system by uttering keywords at any time;”

“rendering a message informing said user that content delivery can be interrupted by uttering a special word;” or “entering a special mode of operation wherein said audio content is interrupted only if said user says said special word and otherwise ignoring user utterances during said playing of said audio content.” In contrast, Gould is silent as to each of these limitations.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claim 34, that this claim overcomes the rejection under 35 U.S.C. § 102(e), and that this claim is thus in a condition for allowance. Therefore, Applicants respectfully submit the Gould also does not teach or suggest the additional claimed features of the present invention as recited in Claims 35-37 that depends from independent Claim 34. Therefore, Applicants respectfully submit that Claims 35-37 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

#### Claims 44-52

Applicants respectfully direct the Examiner to independent Claim 44 that recites that an embodiment of the present invention is directed to (emphasis added):

In a computer system, a method for providing an audio user interface, said method comprising the steps of:

- a) receiving a user utterance;
- b) processing said user utterance using automatic voice recognition processes;

c) if said user utterance is a mismatch, entering a first process to determine if conditions exist that are likely to lead to poor voice recognition; and

d) if said conditions do not exist then re-prompting said user and repeating steps a) - c), otherwise, entering a second process to provide services and user suggestions directed at raising the likelihood of receiving commands and data from said user.

Claims 45-52 that depend from independent Claim 44 provide further recitations of the features of the present invention.

Gould and the claimed invention are very different. As described above, Applicants understand Gould to teach a word recognition system with dynamic assignment of probabilities based on the state of controlled applications (Abstract). In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system.

The Examiner asserts that Figure 32 and col. 26, lines 1-42 and 50-65 as teaching the limitations of Claim 44. As described above, Figure 32 of Gould shows a screen shot displaying two user selections. In order to proceed, the user must say one of the two options. Gould then waits for the user to say one of the options. Specifically, Gould does not take any action until a user says something (col. 26, lines 29-65).

In contrast, embodiments of the claimed invention are directed towards method of providing information to a user including "if said user utterance is a mismatch,

entering a first process to determine if conditions exist that are likely to lead to poor voice recognition" (emphasis added). Moreover, the claimed method also includes "if said conditions do not exist then re-prompting said user and repeating steps a) - c), otherwise, entering a second process to provide services and user suggestions directed at raising the likelihood of receiving commands and data from said user" (emphasis added).

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest "if said user utterance is a mismatch, entering a first process to determine if conditions exist that are likely to lead to poor voice recognition" or "if said conditions do not exist then re-prompting said user and repeating steps a) - c), otherwise, entering a second process to provide services and user suggestions directed at raising the likelihood of receiving commands and data from said user." In contrast, Gould is silent as to each of these limitations.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claim 44, that this claim overcomes the rejection under 35 U.S.C. § 102(e), and that this claim is thus in a condition for allowance. Therefore, Applicants respectfully submit the Gould also does not teach or suggest the additional claimed features of the present invention as recited in Claims 45-52 that depends from independent Claim 44. Therefore, Applicants respectfully submit that Claims 45-52



also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

#### Claims 53 and 54

Applicants respectfully direct the Examiner to independent Claim 53 that recites that an embodiment of the present invention is directed to (emphasis added):

In a computer system, a method for providing an audio user interface, said method comprising the steps of:

- a) on receiving a call, using an Automatic Number Information (ANI) of said call to determine if said call is using a wireless phone;
- b) provided said call is using a wireless phone, raising a barge-in threshold;
- c) detecting a user utterance when sounds of said call exceed said barge-in threshold;
- d) processing said user utterance using automatic voice recognition processes;
- e) if said user utterance is a mismatch, entering a first process to determine if conditions exist that are likely to lead to poor voice recognition; and
- f) if said conditions do not exist, then re-prompting said user and repeating steps c) - e), otherwise, entering a second process to provide services and user suggestions directed at raising the likelihood of receiving commands and data from said user.

Independent Claim 54 recites similar limitations.

Gould and the claimed invention are very different. As described above, Applicants understand Gould to teach a word recognition system with dynamic assignment of probabilities based on the state of controlled applications (Abstract).

In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system.

The Examiner asserts that Figure 32 and col. 26, lines 1-42 and 50-65 as teaching the limitations of Claim 53. As described above, Figure 32 of Gould shows a screen shot displaying two user selections. In order to proceed, the user must say one of the two options. Gould then waits for the user to say one of the options. Specifically, Gould does not take any action until a user says something (col. 26, lines 29-65). Moreover, Gould teaches a word recognition system that is for operation on a computer system having a display screen and a keyboard(col. 10, lines 22-33).

In contrast, embodiments of the claimed invention are directed towards method for providing an audio user interface including “on receiving a call, using an Automatic Number Information (ANI) of said call to determine if said call is using a wireless phone” (emphasis added). Moreover, the claimed method also includes “provided said call is using a wireless phone, raising a barge-in threshold” (emphasis added).

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest “on receiving a call, using an Automatic Number Information (ANI) of said call to determine if said call is using a wireless phone” or “provided said call is using a wireless phone, raising a barge-in threshold.” In contrast, Gould is silent as to each of these limitations. In particular, Gould teaches the use of a computer system.

Gould does not teach, describe or suggest the use of ANI, a wireless phone or a barge-in threshold, as claimed.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 53 and 54, that these claims overcome the rejection under 35 U.S.C. § 102(e), and that these claims are thus in a condition for allowance.

#### Claims 38-43

Claims 38-43 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Number 6,807,574 by Partovi et al., hereinafter referred to as the "Partovi" reference. Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 38-43 are not anticipated by Partovi in view of the following rationale.

Applicants respectfully direct the Examiner to independent Claim 38 that recites that an embodiment of the present invention is directed to (emphasis added):

In a computer system having an audio user interface, a method of providing information to a user comprising the steps of:

a) automatically determining a default location based on a characteristic of a caller;

b) rendering a first message to said caller that information of a first category will be provided to said caller using said default location unless said caller indicates a new location;

c) pausing a predetermined period for said caller to say a new location and rendering a background audio signal during said pausing;

d) provided said user does not indicate a new location, rendering to said caller information of said first category that is pertinent to said default location; and

e) provided said user does indicate a new location, rendering to said caller information of said first category that is pertinent to said new location.

Claims 39-43 that depend from independent Claim 38 provide further recitations of the features of the present invention.

Partovi and the claimed invention are very different. Applicants understand Partovi to teach a method and apparatus for content personalization over a telephone interface (Abstract).

Embodiments of the claimed invention are directed towards a method of providing information to a user including “pausing a predetermined period for said caller to say a new location and rendering a background audio signal during said pausing” (emphasis added). Moreover, the claimed method also includes “provided said user does not indicate a new location, rendering to said caller information of said first category that is pertinent to said default location;” and “provided said user does indicate a new location, rendering to said caller information of said first category that is pertinent to said new location” (emphasis added).

Applicants respectfully assert that Partovi in particular does not teach, disclose, or suggest “pausing a predetermined period for said caller to say a new location and

rendering a background audio signal during said pausing” (emphasis added).

Moreover, Applicants respectfully assert that Partovi does not teach, describe or suggest “provided said user does not indicate a new location, rendering to said caller information of said first category that is pertinent to said default location;” and “provided said user does indicate a new location, rendering to said caller information of said first category that is pertinent to said new location” (emphasis added).

Applicants respectfully assert that Partovi is silent as to the claimed embodiments.

Therefore, Applicants respectfully assert that nowhere does Partovi teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claim 38, that this claim overcomes the rejection under 35 U.S.C. § 102(e), and that this claim is thus in a condition for allowance. Therefore, Applicants respectfully submit the Partovi also does not teach or suggest the additional claimed features of the present invention as recited in Claims 39-43 that depend from independent Claim 38. Therefore, Applicants respectfully submit that Claims 39-43 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

### CONCLUSION


In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1-26 and 34-54 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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